



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2300912
Applicant Name: Nelson Apostol
Address of Proposal: 2908 South Bradford Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land in an environmentally critical area (Steep Slope). Proposed parcel sizes are Parcel A) 6,255 sq. ft., and Parcel B) 5,000 sq. ft. Existing single family residence, on parcel A, to remain.

The following approvals are required:

Short Subdivision - to create two parcels of land. - (SMC Chapter 23.24)

SEPA - Environmental Determination - (Chapter 25.05, Seattle Municipal Code.)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND DATA

Site and Vicinity

The 11,259 sq. ft. site is located in a Single Family 5000 (SF-5000) zone. The site is located on the north side of South Bradford Street and the second house to the east of Renton Avenue South in the South Seattle neighborhood. The property is rectangular in shape, and has approximately 75 lineal feet of frontage on South Bradford Street. The entire east property line abuts an unopened 30th Avenue South. The subject site is considered an environmentally critical area because of Steep Slope. There is an existing single-family residence located on the south portion of the lot adjacent to South Bradford Street which will remain. Parking for the existing residence is in the attached garage.

Property surrounding the site and the remainder of the immediate neighborhood are also zoned single-family (SF5000). Development in the area consists of one, two and three-story single family residences of varying age and architectural style. There are some multi-family and commercial structures within a few blocks of the subject site and along Renton Avenue South.

Proposal

The proposal is to subdivide one parcel of land into two parcels. Proposed sizes are as indicated in the summary above. The applicant proposes a 20-foot wide vehicular access, for both parcels, across the undeveloped 30th Avenue South from South Bradford Street. A conceptual Street Improvement drawing was approved by SDOT on April 5th, 2004. Future development of Parcel B will be subject to the applicable provision of the ECA regulations (SMC 25.09), Steep Slope areas. No development or construction activities are associated with this subject proposal. The subject of this analysis and decision is only for the proposed subdivision of land.

Public Comments

Notice of the proposed project was published on October 2nd, 2003. The public comment period ended on October 15th, 2003. No comment letters were received.

ANALYSIS - SHORT SUBDIVISION

Based on information provided by the applicant, referral comments from DPD, review and approval from Seattle Public Utilities, Seattle Fire Departments, and Seattle City Light; and review by the Land Use Planner, the following findings are made with respect to the applicable criteria:

Pursuant to SMC 23.24.40, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. Conformance to the applicable Land Use Code provisions.

The parcels created by this proposed division of land would conform to all development standards of the SF 5000 zone. The existing structure on proposed Parcels A would meet the development standards of the SF 5000 zone. Parcel A with the existing Single Family residence would have a lot area of approximately 6,255 sq. ft. and Parcel B would have a lot area of approximately 5,000 sq. ft. Each lot will have adequate buildable lot area to meet applicable yards and lot coverage requirements. Parking for parcel A is within the attached garage.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005.*

The proposed parcels will have adequate access for vehicles, utilities, and fire protection via South Bradford Street and 30th Avenue South. The applicant signed and submitted a no protest agreement to allow future street improvement in this area. The applicant proposes a 20-foot wide vehicular access, for both parcels, across the undeveloped 30th Avenue South from South Bradford Street. A conceptual Street Improvement drawing was approved by SDOT on April 5th, 2004. SDOT requires their approval of the street improvement plans prior to issuance of the building permit. The Seattle Fire Department has reviewed and approved this proposal for adequacy of emergency vehicle access. Seattle City Light approved this proposal for adequacy of access for electrical service and has indicated that no easements are required.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal.*

According to the information provided by the Department of Planning and Development's drainage reviewer, an 8 inch public combined sewer (PS) in South Bradford Street is available for sanitary discharge from new construction on proposed Parcel B by way of the unopened 30th Avenue South right-of-way. Likewise, an 8-inch public sanitary sewer (PSS) in South Charlestown Street is also available for this purpose.

Stormwater runoff from new construction on proposed Parcel B shall be discharged to the 12-inch public storm drain in South Charlestown Street by way of the unopened 30th Avenue South right-of-way.

Applicant should contact Sewer and Drainage counter in DPD, 20th Floor Key Tower Building for side sewer permit at the time of the building permit application.

The Seattle Public Utilities has indicated that a recorded easement or public right-of-way street use permit is required allowing underground water service from South Bradford Street to Parcel B.

Water Availability Certificate 2003-1046 was issued on September 23rd, 2003. Water Department Conditions of approval must be met.

4. *Whether the public use and interests are served by permitting the proposed division of land.*

Public use and interest would be served because an additional housing opportunity would be provided within the City limits as a result of this subdivision of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, Short Subdivisions and Subdivisions, in Environmentally Critical Areas.*

The proposed subdivision is located in an environmentally critical area (Steep Slope Critical Area), thus the subdivision is subject to the provision of the Critical Area Ordinance. A limited exemption was approved on September 9th, 2003, which waived the Steep Slope Development Standards. The exemption approval stated, "the threshold disturbance level of 30% of the Steep Slope Critical Areas no

longer applies”. A Geotechnical Report, prepared by The Galli Group and dated June 8th, 2003, was submitted to the Department of Planning and Development.

Any new construction is subject to the provisions of SMC 25.09, Regulations for Environmentally Critical Areas.

6. *Is designed to maximize the retention of existing trees.*

Tree preservation and planting options and landscaping requirements of Seattle Municipal Code 23.44.008.I requires that trees for new single-family development be preserved or retained where ever possible. Future development is subject to SMC 25.09, which set forth, tree planting requirements on single family lots.

7. *Conformance to the provisions of Section 23.24.045, Unit Lot Subdivisions when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Section 23.24.045 is not applicable because the proposed short subdivision is not for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses.

DECISION - SHORT SUBDIVISION

The application is **CONDITIONALLY APPROVED.**

SEPA DETERMINATION

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 19th, 2003. The information in the checklist, the supplemental information submitted by the applicant, field inspection, public comments and the experience of the lead agency with similar projects form the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including an additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The Department of Planning and Development has analyzed the environmental checklist submitted by the applicant; reviewed the project plans and the additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, that "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D1-7) mitigation can be considered.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- ☐ Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS - SEPA

None.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. Show the side yard setback for the

existing house from the new lot line. The property corners set shall be identified on the plat and encroachments such as fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. The boundaries shall be adjusted if necessary to meet the requirements of the Land Use Code.

2. Add the "Conditions of Approval upon Application for Construction Permits," noted below, to the plat. These may be added to the face of the plat, or may be attached as a separate page. If the conditions are on a separate page, insert on the face of the plat "For Conditions of Approval upon Application for Construction Permit, see page ____ of ____."
3. Submit the final recording forms and fee for approval.

After Recording and Prior to Issuance of a Building Permit

4. Attach copy of the recorded short plat with the building plans upon application for a construction permits.
5. Provide a standard drainage control plan. A new connection to the PSS will be needed in order to develop proposed Parcel B.
6. Provide Street Improvement plans, approved by SDOT, for vehicular access across 30th Avenue South, prior to issuance of building permit for parcel "B".

Signature: _____ (signature on file) Date: April 29, 2004

Joan S. Carson, Land Use Planner II
Department of Planning and Development
Land Use Services

JSC:bg

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